

So Ordered.



A handwritten signature in black ink that appears to read "J. Holt".

Dated: February 8th, 2021

Whitman L. Holt
Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:
EASTERDAY RANCHES, INC.,
Debtor.

Chapter 11
Case No. 21-00141-WLH11

In re:
EASTERDAY FARMS, a Washington
general Partnership
Debtor.

Chapter 11
Case No. 21-00176-WLH11
**EX PARTE ORDER (A)
DIRECTING THE JOINT
ADMINISTRATION OF THESE
CASES AND (B) LIMITING
SCOPE OF NOTICE**

Upon the motion (the "Motion") of Easterday Ranches, Inc. ("Ranches") and Easterday Farms, a Washington general partnership ("Farms"), the above-captioned debtors and debtors-in-possession (collectively, the "Debtors") pursuant to Rules

**ORDER DIRECTING JOINT ADMINISTRATION
AND LIMITING SCOPE OF NOTICE – Page 1**

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1 1015(b), 2002, and 9007 of the Federal Rules of Bankruptcy Procedure and Rules
2 1015-1(b) and 2002-1 of the Local Rules of the United States Bankruptcy Court for
3 the Eastern District of Washington, for an order (a) authorizing the joint
4 administration of these cases for procedural purposes only, including the use of
5 consolidated lists, and that the court maintain one file and one docket for all of the
6 Cases under the lead case: *In re Easterday Ranches, Inc.*; and (b) approving a Limited
7 Mailing List and a limited notice procedure, all as more fully set out in the Motion¹;
8 and upon consideration of the First Day Declaration; it further appearing that the court
9 has jurisdiction over this matter; and it further appearing that the relief requested in
10 the Motion is in the best interests of the Debtors, their estates and their creditors; and
11 after due deliberation and sufficient cause appearing therefor, it is hereby:
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13 ORDERED that the Motion [ECF No. 74] is granted; and it is further

14 ORDERED that the above-captioned chapter 11 cases be, and hereby are,
15 consolidated for procedural purposes only and shall be jointly administered by the
16 court under Case No. 21-00141-WLH11, which joint administration shall include the
17 following:

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- 19 (a) use of a single pleadings docket for administrative matters under the lead
20 case: *In re Easterday Ranches, Inc.*; and the filing, lodging and docketing
21 of pleadings and orders, where appropriate;
- 22 (b) use of a single pleading caption;

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26 ¹ Capitalized terms used but not otherwise defined herein shall have the meanings
 ascribed to them in the Motion.

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- (c) use of a consolidated mailing matrix (or matrices), and the combining of notices to creditors and other parties-in-interest, where appropriate;
- (d) combined scheduling of hearings, where appropriate;
- (e) consolidated billing by professionals employed by the estates, subject to review and apportionment of billing should the need arise; **and**
- (f) ~~joint and several liability of the Debtors' estates for general administrative expenses that equally benefit all the estates; and~~
- (g) joint handling of other administrative matters that may aid in the expeditious and economical administration of the Debtors' estates; and
it is further

ORDERED that nothing contained in this Order or the Motion shall be deemed or construed as directing or otherwise effecting a substantive consolidation of the above-captioned cases; and it is further

ORDERED that pleadings in these chapter 11 cases shall be required to bear a caption substantially in the form of the caption attached hereto as **Exhibit A**; and it is further

ORDERED that a docket entry shall be made in each of the above-captioned cases substantially as follows:

To assist creditors, the Debtors propose that the Clerk of the Court place the following notation in the docket for each of the Debtors' Chapter 11 Cases:

An Order has been entered in this case directing the procedural consolidation and joint administration of the chapter 11 cases of Easterday Ranches, Inc. (Case No. 21-00141-WLH11) and Easterday Farms, a Washington general partnership (Case No. 21-00176-WLH11).

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1 Consult the Docket in Case No. 21-00141-WLH11 for all
2 matters affecting these cases;
3

4 and it is further
5

6 ORDERED that the following matters (the “Limited Notice Matters”) shall be
7 served on a limited service list:
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- 9 • any proposed use, sale, or lease of property of the estate pursuant to § 363
10 and Bankruptcy Rules 2002(a)(2), 4001(b), and 6004;
- 11 • any proposed debtor in possession financing or use of cash collateral;
- 12 • any proposed extension of the Debtors’ exclusive time to file a plan of
13 reorganization and solicit acceptance thereof (including, without limitation,
14 the time to file a disclosure statement) pursuant to § 1121 and Bankruptcy
15 Rule 3016;
- 16 • any proposed approval of a compromise or settlement of a controversy
17 pursuant to Bankruptcy Rules 2002(a)(3) and 9019 and/or § 363;
- 18 • any proposed abandonment or disposition of property of the estate pursuant
19 to § 554 and Bankruptcy Rules 6007(a) or (c);
20 • any proposed assumption, assumption and assignment or rejection of
21 contracts or leases pursuant to § 365 and Bankruptcy Rule 6006(a) or (c);
22 any proposal to prohibit or condition the use, sale or lease of property
23 pursuant to § 363 or Bankruptcy Rule 4001(a);
24 • any proposed objections to claims pursuant to § 502 or Bankruptcy Rules
25 3002, 3003 or 3007;
26 • any verified statement filed by any entity or committee (other than those
 appointed pursuant to §§ 1102 or 1104) representing more than one creditor
 pursuant to Bankruptcy Rule 2019(a) and any motion filed in respect thereof
 pursuant to Bankruptcy Rule 2019(b);
 • any proposed application for employment of professionals pursuant to §§
 327, 1103 or 1104 or Bankruptcy Rule 2014;

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1 • any proposed application for compensation or reimbursement of expenses of
2 professionals, pursuant to §§ 328, 329, 330, or 331 and Bankruptcy Rules
3 2002(a)(6), 2016, 2017, and 6005; except as provided by other orders of this
4 Court;

5 • a hearing on any other contested matter in this Case that requires notice to
6 all creditors or equity holders pursuant to the Bankruptcy Code, Bankruptcy
7 Rule 9014, or the LBR; and

8 • all other pleadings, papers, and requests for relief or other order of the Court,
9 except as limited below, and it is further

10 ORDERED that that the Limited Notice Matters include all the “first day”
11 motions filed on or around the Petition Date; and it is further

12 ORDERED that with respect to the Limited Notice Matters, such matters shall
13 be heard on regular notice served by first-class mail upon only: (a) counsel to the
14 Debtors (i) Pachulski Stang Ziehl & Jones LLP, 10100 Santa Monica Blvd., 13th
15 Floor, Attn: Richard M. Pachulski, Esq. and Jeffrey W. Dulberg, Esq. and (ii) Bush
16 Kornfeld LLP, 601 Union Street, Suite 5000, Seattle, WA 98101, Attn: Thomas A.
17 Buford, Esq. and Richard B. Keeton, Esq.), (b) the Office of the United States Trustee,
18 920 W. Riverside Ave., Suite 593, Spokane, WA 99201, Attn: Gary W. Dyer, Esq.
19 (c) the creditors appearing on the list filed in accordance with Bankruptcy Rule
20 1007(d) by the Debtors unless and until a Committee is appointed and it retains
21 counsel, then in such event, to counsel for the Committee, (d) the United States of
22 America, by service to the (i) Attorney General of the United States Bankruptcy &
23 Collections Unit, 800 Fifth Avenue Suite 2000, Seattle, WA 98104 and the (ii) United
24 States Attorney for the Eastern District of Washington, PO Box 1494, Spokane, WA
25 99210-1494, and (iii) any department or agency of the United States of America that
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ORDER DIRECTING JOINT ADMINISTRATION
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1 is affected by the Limited Notice Matter until counsel for the United States makes an
2 appearance on behalf of that department or agency, and, thereafter on that counsel, (e)
3 the State of Washington, by service to the Attorney General of Washington at the
4 address listed in item (f) above, and any department or agency of the State that is
5 affected by the Limited Notice Matter until counsel for the State makes an appearance
6 on behalf of that department or agency, and thereafter on that counsel, (g) parties that
7 file with the Court and serve upon the Debtors requests for notice of all matters in
8 accordance with Bankruptcy Rule 2002(i) and who expressly request hard copy
9 service (and absent such request, will receive service electronically, consistent with
10 LBR 2002-1(b)(3)), (h) all secured creditors, and (i) any party with a pecuniary
11 interest in the subject matter of the particular Limited Notice Matter or its counsel
12 (collectively, the "Limited Mailing List"); and it is further
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14 ORDERED that, notwithstanding the foregoing, the relief granted herein does
15 not affect the rights of all creditors to receive notice of the following matters or
16 proceedings: (i) the date fixed for filing proofs of claim; (ii) the time fixed for filing
17 objections to any disclosure statement and any hearing to consider approval of any
18 disclosure statement; (iii) the time fixed for accepting, rejecting, or objecting to
19 confirmation of a plan or any modification thereof and the hearing thereon; (iv) the
20 entry of an order confirming a plan; and (v) a hearing regarding the dismissal or
21 conversion of this Case (the "Complete Notice Matters"); and it is further
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23 ORDERED that this Court shall, and hereby does, retain jurisdiction with
24 respect to all matters arising from or related to the implementation and interpretation
25 of this Order.

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1 ///End of Order///

2 PRESENTED BY:

3 */s/ Thomas A. Buford*

4 THOMAS A. BUFORD, III (WSBA 52969)
BUSH KORNFELD LLP

5 RICHARD M. PACHULSKI (Admitted *Pro Hac Vice*)

6 JEFFREY W. DULBERG (Admitted *Pro Hac Vice*)

7 JASON H. ROSELL (*Pro Hac Vice* Pending)

PACHULSKI STANG ZIEHL & JONES LLP

8 *Proposed Attorneys for Debtors and
Debtors in Possession*

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10 * Change made by court

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EXHIBIT A

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:	Chapter 11
EASTERDAY RANCHES, INC., <i>et al.</i>	Lead Case No. 21-00141
Debtors. ¹	Jointly Administered

¹ The Debtors along with their case numbers are as follows: Easterday Ranches, Inc., (21-00141) and Easterday Farms, a Washington general partnership (21-00176-WLH11).